

08-21-00

**RESPONSE UNDER 37 C.F.R. §1.116**  
**EXPEDITED PROCEDURE - GROUP 1641**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



Applicants : Vadiraja Murthy and Edward R. Burns

Serial No. : 08/746,635

Filed : November 13, 1996

For : METHOD FOR DETECTING HEMOLYSIS

Art Unit : 1641

Examiner : Gailene R. Gabel

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Name:

Signature: *Chaitin J. Arnold*

**COMMUNICATION IN RESPONSE TO MAY 24, 2000 OFFICE ACTION**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Sir:

This Communication is submitted in response to the Office Action issued May 24, 2000 in connection with the above-identified application. A response to the Office Action is due August 24, 2000. Accordingly, this Communication is being timely filed.

**REMARKS**

OK to enter 9/12/00

Claim 20 was rejected under 35 U.S.C. §103 as unpatentable over Olsson. Applicants respectfully traverse this rejection, and maintain that Claim 20 is patentable over Olsson.

Claim 20 is directed to a method for diagnosing erythrocyte hemolysis in a subject suspected of having erythrocyte hemolysis comprising the steps of: (a) obtaining a serum sample from said subject; and (b) determining the level of erythrocyte adenylate kinase activity in said sample, the presence of at least about 20 U/L erythrocyte adenylate kinase activity being indicative of erythrocyte hemolysis in said subject.

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